

FISCAL NOTE

SB 215 - HB 1463

March 31, 2003

SUMMARY OF BILL: Provides the juvenile court shall retain jurisdiction over the placement of a child including, but not limited to, specific foster care, residential treatment or program placements of the child.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact:

(1) May subject the state to penalties for violation of court agreements. The amount of such penalties if imposed is estimated to be significant.

(2) Jeopardizes federal funding estimated to exceed \$12,000,000 in the first year.

Estimate assumes:

- The Department of Children's Services is budgeted in fiscal year 2003-04 for \$49,500,000 in federal funds under Title IV-E of the Social Security Act. Giving the juvenile court responsibility for the placement of children rather than the department will place the department in jeopardy of being out of compliance and prevent children from qualifying for federal Title IV-E funds. The first year decrease is estimated to exceed \$12,000,000.
- The settlement agreement in Brian A v. Sundquist provides that certain placements are preferred when the Department of Children's Services is placing foster children. If children are placed outside of the agreement, the department may be placed in contempt of the settlement agreement.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director